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1905-1907







REPORT

OF THE

WATER SUPPLY COMMISSION

OF

PENNSYLVANIA.

1905

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HARRISBURG, PA.:  
HARRISBURG PUBLISHING CO., STATE PRINTERS.  
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FY W 324/3.1  
1905-6

## REPORT.

To His Excellency, Samuel W. Pennypacker, Governor of Pennsylvania, Harrisburg Penn'a.:

As required by the Act of Assembly, passed the fourth day of May, 1905, the Water Supply Commission of Pennsylvania respectfully submits the following report.

The persons named by you to compose the Water Supply Commission, together with the Commissioner of Forestry and the Commissioner of Health, met at Harrisburg on the third day of July, 1905, and organized by electing John Birkinbine, of Cynwyd, Pa., Chairman; Henry M. Brackenridge, of Pittsburg, Pa., Vice Chairman; John F. Whitworth, of Kittanning, Pa., Secretary.

Since its organization the Commission has been actively engaged in procuring information necessary to inform itself regarding the water resources of the State, and for that purpose has been gathering records of surveys, maps, plans and specifications, bearing upon this subject.

The Commission is also collecting a library of documents upon the water resources of the State, and upon such general features as stream gauging, rain-fall, freshets, etc.

The Commission considers the State as divided by nature into the following water-sheds or general drainage basins, viz: Delaware, Susquehanna, Ohio, Potomac, Lake Erie and Northern, and when necessary to properly study local conditions, these general divisions will be sub-divided. This work is essential and its completion will necessarily require considerable time.

Pennsylvania being a mountainous State, the sources of many of its streams are of high elevations; some flow rapidly, others are sluggish, but all have individual characteristics which require investigation and study. The streams are subject to violent freshets or long continued droughts; their condition varying greatly with the season of the year. The Commission is endeavoring to collect data and statistics with reference to these varying conditions, in order to secure to all localities equitable distribution, etc., as required by the act.

Heretofore the State has given no consideration to its Water Supplies as being part of its resources, hence it is necessary for the Commission to formulate methods of procedure in harmony with ex-

isting legislation, and it is soliciting information from other States which have placed their water supplies under legislative control.

The contamination of streams, so far as this affects domestic or municipal supplies, is, by legislative enactment, placed under the supervision of the Health Department, but there are some sources of pollution which cause obstruction to water-ways or contaminations affecting industries, that will probably require investigation by this Commission.

The flood and drought conditions of streams of the State will be studied in the hope of suggesting in future reports some means of modifying the extremes which interfere with the comfort and prosperity of cities and towns located upon important streams. This will naturally involve investigations of the rainfall, water-sheds, storage possibilities, forest-cover, etc.

Section 5 of the Act reads as follows:

"Hereafter no Letters Patent shall be issued to any company desiring to be incorporated for the purpose of supplying water to the public, in any community of the Commonwealth, until said application is first submitted to and has received the approval of a majority of the said Water Supply Commission."

Under this section of the Act, the Commission has received eighteen (18) applications for charters. Of these it has approved seven (7), refused two (2), has seven (7) applications now under advisement, and two (2) have been withdrawn. Two (2) of the applications approved have been for the merging of companies.

The Commission has decided not to approve charters which appear to have as an object the obtaining and holding of water-rights as articles of commerce.

A copy of the Rules adopted is submitted for your information.

JOHN BIRKINBINE,  
HENRY M. BRACKENRIDGE,  
JOHN F. WHITWORTH.

ROBERT S. CONKLIN,  
Commissioner of Forestry.

SAMUEL G. DIXON,  
Commissioner of Health.

Harrisburg, Pennsylvania,  
December 26, 1905.

## THE WATER SUPPLY COMMISSION OF PENNSYLVANIA.

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Hereafter no letters patent shall be issued to any company desiring to be incorporated for the purpose of supplying water to the public, in any community in the Commonwealth, until said application is first submitted to and has received the approval of a majority of the said Water Supply Commission.

### Rules Governing the Incorporation of Water Companies.

The following rules, governing the incorporation of companies for the supply of water, and concerning the practice before the said Commission, are submitted for the guidance of those interested.

### Notices.

The notice of an intention to apply for a charter should give the names of at least three incorporators, designate the time when application will be made to the Governor and the said Commission, for the charter, the Act of Assembly under which it is made, and the purpose proposed.

Twenty-one days' notice must be given of the intended application, by advertisement in two newspapers of general circulation, printed in the County or Counties where the water is to be supplied and the water is to be obtained.

Legal or technical publication or papers not printed in the English language, are not regarded as in this class.

The proof of the publication of the notice must be filed in the office of the Secretary of the Commonwealth upon the maturity of the certificate.

The following may be used for the form of notice:

Notice is hereby given that an application will be made to the Governor and the Water Supply Commission of Pennsylvania on . . . . .  
 . . . . . the . . . . . day of . . . . . 190  
 by . . . . .  
 . . . . .  
 under the Act of Assembly of the Commonwealth of Pennsylvania  
 entitled "An act to provide for the incorporation and regulation of  
 certain corporations," approved April 29th, 1874, and the supple-  
 ments thereto, for the charter of an intended corporation to be called  
 . . . . .

The .....  
 .....  
 the character and object whereof is the .....  
 .....  
 and for these purposes to have, possess and enjoy all the rights,  
 benefits and privileges of the said Act of Assembly and its supple-  
 ments.

#### Filing of Certificate.

The certificate of organization must be on file in the office of the Secretary of the Commonwealth during the period of publication, and the fee for letters patent and the bonus on the capital stock must accompany the certificate. No certificate will be considered by the Commission until the fees, bonus and proof of publication are in the office of the Secretary of the Commonwealth. The consolidation and merger of water companies must also be presented to the said Commission for consideration before issuing of Letters Patent.

#### Protests.

Protests against the issuing of Letters Patent upon any application should be filed in duplicate with the Commission as soon after the first publication of notice as practicable. The protest should briefly set forth the ground of opposition and the interest of the protestants; and must be specific, giving the full and correct name of the company against whose application it is filed, and designate the date when the application is advertised to be made. A day for hearing will then be appointed, at which time all parties will be heard by counsel or in person.

#### Maps, Etc., to be Furnished the Commission.

Applicants for charters for Water Companies shall furnish the Commission with maps and plans in sufficient detail to show the source of water supply and its application, and a written description of the same; also authentic data as to the character and volume of the water to be used, the proposed method of storing and distributing or utilizing the same, and such other information as the Commission may deem necessary for an intelligent disposition of the application.

Such maps and papers to be verified by affidavit, and should accompany the certificate.

The applicant shall also furnish the Commission a duplicate of the application for Charter as filed in the office of the Secretary of the Commonwealth.

It is understood that any approval, by this Commission, of charters for the supply of water to municipalities or towns, is condi-

tioned upon the Rules of the Health Commission relative to the purity of the water being complied with.

#### Petitions, Hearing.

Matters relating to the utilizing, conserving, purifying or distributing the waters of the State may be brought to the attention of the Commission by petition, verified by affidavit, which shall fully set forth all the facts and the names of the persons, firms or corporations affected thereby; and such persons, firms or corporations will be given an opportunity of being heard relative to the matters alleged.

All applicants for charters are required to state the area of watersheds which they own or control, and the character of the cover.





